

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ARISGLOBAL, LLC,

Plaintiff,

v.

INDIPHARM, INC.

Defendant.

Case No.

New York Supreme Court
New York County
Index No. 652300/2016

DEFENDANT INDIPHARM INC.'S NOTICE OF REMOVAL

NOW COMES Defendant IndiPharm, Inc., by and through counsel, and files this Notice of Removal pursuant to 28 U.S.C. §1446(a). In support of the petition, Defendant respectfully states as follows:

- 1) On April 29, 2016, Plaintiff ArisGlobal, LLC sued Defendant IndiPharm, Inc. in the Supreme Court of New York, County of New York, Index No. 652300/2016 (the “State Court Action”).
- 2) Copies of the Summons and Complaint in the State Court Action are attached to this Notice as Exhibit A, as required by 28 U.S.C. §1446(a). Defendants have not been served with any additional “process, pleadings, and orders” in this action to date.
- 3) Defendant was served with a copy of the Complaint and Summons on May 2, 2016. Defendant files, therefore, this Notice of Removal within the 30-day time period required by 28 U.S.C. §1446(b).
- 4) This Court has diversity jurisdiction over this dispute pursuant to 28 U.S.C. §1332, as there is diversity of citizenship between the parties and the amount in controversy far exceeds the \$75,000.00 jurisdictional minimum.

5) Plaintiff ArisGlobal, LLC, pleads that it is a Delaware limited liability company with a principal place of business at 401 East Las Olas, Suite 1400, Fort Lauderdale, Florida 33301. Upon information and belief, none of ArisGlobal, LLC's members are citizens of Pennsylvania.

6) Defendant IndiPharm, Inc., is a Pennsylvania corporation with a principal place of business at 701 Lee Road, Suite 210, Wayne PA 19807. Accordingly, it is deemed a citizen for purposes of diversity jurisdiction, of Pennsylvania.

7) The State Court Action asserts claims for breach of contract, unjust enrichment and equitable estoppel and seeks damages in the amount of \$324,159.72, exclusive of interest and costs.

8) Venue is proper in this district because the state court where this suit was commenced is located within this district.

9) Defendant will promptly file a copy of this Notice of Removal with the clerk of the Supreme Court of New York, County of New York, where this suit has been pending.

10) By removing this action, Defendant does not waive any rights, claims or defenses. Defendant expressly preserves its rights to assert any and all jurisdictional or other defenses.

WHEREFORE, Defendant IndiPharm, Inc. respectfully requests that this Court remove this action from the Supreme Court of New York, New York County and exercise jurisdiction over the same.

Dated: May 15, 2016
New York, New York

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By: /s_____
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and

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